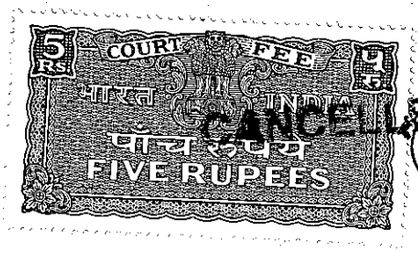
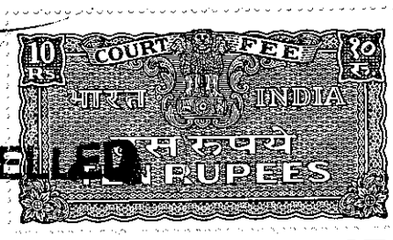


CANCELLED

Ch 15



CANCELLED

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [C.G.]

Civil Revision No. ---115---/05

Single Bench

APPLICANT
DEFENDANT

Guljar Singh S/o Ram Das Aged- about 50 years R/0 Aazad Nagar, Distt.- Bialspur [C.G.].

VERSUS

RESPONDENT :
PLAINTIFF

I.C.Hantar S/O Late Jaan Keshav Hantar, Aged- 92 years, resident of Hantar Baada, Behind police line, Aazad Nagar, Bilaspur, Tahsil and District- Bilaspur [C.G.]

P.R. No. 2365/05
Presented by Shri Sanjay Tarel
dated 01/9/05

CIVIL REVISION UNDER SECTION 115 READ WITH SEC.102 OF THE CIVIL PROCEDURE CODE, 1908

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(21)

आदेश पत्रक

भामला क्रमांक CR No. 115 सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

09/01/2006

Shri Sandeep Patel, Counsel for the applicant.

Heard on admission.

VIIth Civil Judge, Class II, Bilaspur, vide judgment and decree dated 28/02/2003 passed in Civil Suit No.4-B/2001, passed a money decree of Rs.17,400/- (Rupees Seventeen thousand four hundred) against applicant/defendant Guljar Singh and also allowed damages from 13/03/2001 to May, 2001 @ Rs.600/- (Rupees six hundred) per month. Being aggrieved with the said judgment and decree, applicant Guljar Singh filed an appeal and the appellate Court vide impugned judgment & decree dated 31/03/2005 passed in Civil Appeal No.2-B/2003 partly allowed the appeal and passed a decree of Rs.14,800/- (Rupees fourteen thousand eight hundred) against the applicant-Guljar Singh. Being aggrieved with that impugned judgment and decree, applicant Guljar Singh has preferred this revision.

After due appreciation, both the Courts below held that the applicant-Guljar Singh was tenant of non-applicant I.C. Hantar on a monthly rent of Rs.400/- (Rupees Four hundred) and, therefore, trial Court for March, 1998 to September, 1999 allowed rent @ Rs.400/- (Rupees Four hundred) for nineteen months and thereafter for unauthorized occupation allowed damages @ Rs.600/- (Rupees Six hundred) per month and accordingly decreed

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक CR No. 115/ सन् 2005

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	2	

the suit. Appellate Court instead of allowing damages @ Rs.600/- (Rupees six hundred) allowed rent and damages @ Rs.400/- (Rupees four hundred) per month.

Both the Courts below gave concurrent findings regarding tenancy, and rate of rent. Learned Appellate Court correctly partly allowed the appeal and directed payment @ Rs.400/- (Rupees Four hundred) per month which was the rent of the accommodation.

In my opinion, no interference is called for; therefore, the revision is summarily liable to be dismissed and is accordingly dismissed.

In the light of above order, IA No. 2478/2005 for urgent hearing stands disposed of.

Sd/-
Vijay Kumar Shrivastava
Judge

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28/1/06